

2025-123

United States Court of Appeals
for the Federal Circuit

In re: Qualcomm Incorporated,
Petitioner.

ON PETITION FOR WRIT OF MANDAMUS TO THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS IN CASE NO. 6:21-CV-00346-ADA,
THE HONORABLE JUDGE ALAN D. ALBRIGHT

**RED ROCK ANALYTICS, LLC'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO PETITION**

LESLIE V. PAYNE
MICHAEL F. HEIM
ALDEN G. HARRIS
KYLE S. RUVOLO
HEIM, PAYNE & CHORUSH, LLP
609 Main St., Suite 3200
Houston, TX 77002
(713) 221-2000

T. JOHN WARD, JR.
CLAIRE A. HENRY
MILLER, FAIR, HENRY PLLC
1507 Bill Owens Parkway
Longview, Texas 75606-1231
(903) 757-6400

S. CALVIN CAPSHAW
ELIZABETH L. DERIEUX
CAPSHAW DERIEUX LLP
114 E. Commerce Ave.
Gladewater, TX 75647
Telephone: (903) 845-5770

ATTORNEYS FOR RESPONDENT

CERTIFICATE OF INTEREST

Counsel for Red Rock Analytics, LLC certifies the following:

1. Represented Entities. Fed. Cir. R. 47.4(a)(1). Provide the full names of all entities represented by undersigned counsel in this case.

Red Rock Analytics, LLC

2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2). Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.

None

3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3). Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.

None

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

Heim, Payne & Chorush, LLP: Leslie V. Payne, Michael F. Heim, Alden G. Harris, Kyle S. Ruvolo

Miller, Fair, Henry PLLC: T. John Ward, Jr., and Claire Abernathy Henry

Capshaw Derieux LLP: S. Calvin Capshaw and Elizabeth L. DeRieux

5. Related Cases. Provide the case titles and numbers of any case known to be pending in this court or any other court or agency that will directly affect or be or be directly affected by this court's decision in the pending appeal. Do not include the originating case number(s) for this case. Fed. Cir. R. 47.4(a)(5). See also Fed. Cir. R. 47.5(b).

None.

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

None.

Dated: March 20, 2025

/s/ Alden G. Harris
Alden G. Harris

Respondent Red Rock Analytics, LLC (“Red Rock”) respectfully moves under Federal Rules of Appellate Procedure 26 and Federal Circuit Rule 26 for a 7-day extension of time to file Red Rock’s response to Petitioner’s petition for writ of mandamus, which would move its due date from March 27, 2025 to April 3, 2025. Red Rock has not previously sought or obtained an extension in this appeal. This motion is being filed seven days before Red Rock’s response is due, so no declaration is required.

Red Rock submits there is good cause for the extension. Red Rock’s lead counsel, Mr. Leslie V. Payne, will be unavailable March 27-30 due to previously scheduled travel. Moreover, additional time is needed to ensure proper preparation of Red Rock’s response.

Counsel for Petitioner has indicated that they do not oppose this motion and will not file a response.

Red Rock respectfully requests the Court grant its motion and set the deadline for its Responsive Brief to April 3, 2025.

Dated: March 20, 2025

Respectfully submitted,

/s/ Alden G. Harris

Leslie V. Payne

Texas Bar No. 00784736

lpayne@hpcllp.com

Michael F. Heim

Texas Bar No. 09380923

mheim@hpcllp.com

Alden G. Harris

Texas Bar No. 24083138

aharris@hpcllp.com

Kyle Ruvolo

Texas Bar No. 24122153

kruvolo@hpcllp.com

HEIM PAYNE & CHORUSH, LLP

609 Main Street, Suite 3200

Houston, Texas 77002

Telephone: (713) 221-2000

Facsimile: (713) 221-2021

T. John Ward, Jr.

Texas Bar No. 00794818

jw@wsfirm.com

Claire Abernathy Henry

Texas Bar No. 24053063

claire@millerfairhenry.com

MILLER, FAIR, HENRY PLLC

1507 Bill Owens Parkway

Longview, Texas 75606-1231

Telephone (903) 757-6400

Facsimile (903) 757-2323

S. Calvin Capshaw

Texas Bar No. 03783900

ccapshaw@capshawlaw.com

Elizabeth L. DeRieux

TX Bar No. 05770585

ederieux@capshawlaw.com

CAPSHAW DERIEUX LLP

114 E. Commerce Ave.
Gladewater, TX 75647
Telephone: (903) 845-5770

Attorneys for Respondent

CERTIFICATE OF SERVICE AND FILING

I certify that I electronically filed the foregoing document using the Court's CM/ECF filing system on March 20, 2025. Counsel was served via CM/ECF on March 20, 2025.

Dated: March 20, 2025

/s/ Alden G. Harris

Alden G. Harris
HEIM PAYNE & CHORUSH, LLP
609 Main Street, Suite 3200
Houston, Texas 77002
Telephone: (713) 221-2000
Facsimile: (713) 221-2021

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 27(d) and 32(g), the undersigned hereby certifies that this motion complies with the type-volume limitation of Circuit Rule 27(d).

1. Exclusive of the accompanying documents as authorized by Fed. R. App. P. 27(a)(2)(B) and the exempted portions of the motion as provided by Fed. R. App. P. 27(d)(2) and 32(f), the motion contains 164 words.

2. The motion has been prepared in proportionally spaced typeface using Microsoft Word 365 in 14 point Times New Roman font as provided by Fed. R. App. P. 32(a)(5)-(6). As permitted by Fed. R. App. P. 32(g), the undersigned has relied upon the word count feature of this word processing system in preparing this certificate.

Dated: March 20, 2025

/s/ Alden G. Harris
Alden G. Harris
HEIM PAYNE & CHORUSH, LLP
609 Main Street, Suite 3200
Houston, Texas 77002
Telephone: (713) 221-2000
Facsimile: (713) 221-2021